

Express Mail Label No.: EV392123633US  
Date of Deposit: December 1, 2004

Attorney Docket No. 21629-003CON



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Walt et al.  
SERIAL NUMBER: 10/823,367 EXAMINER: Not Yet Assigned  
FILING DATE: April 12, 2004 ART UNIT: 1615  
FOR: POLYMERIC MICROSPHERES

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
UNDER 37 C.F.R. § 1.121**

In response to the Notice of Non-Compliant Amendment, mailed November 24, 2004, Applicants submit a Revised Preliminary Amendment replacing the Original Preliminary Amendment filed with the instant application on April 12, 2004. The Revised Preliminary Amendment lists all the pending claims (claims 1-60) in compliance with 37 C.F.R. § 1.121.

Applicants believe that no fees are due in this filing, however, the Commissioner is authorized to charge any additional fees due, or credit any overpayment of same, to the undersigned's account, Deposit Account No. 50-0311, Reference No. 21629-003 CON.

Should any questions or issues arise concerning this application, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

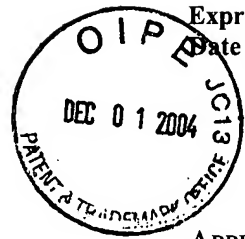
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Customer Number 30623

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**PRELIMINARY AMENDMENT**

Preliminary to examination, please amend the application as follows:

**Amendments to the Specification** are reflected in the listing of claims that begins on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 3 of this paper.

**Remarks** are shown starting on page 10 of this paper.